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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,880	03/24/2000	Shannon M. Nelson	North-391A/A-	2654

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[REDACTED] EXAMINER

SEDIGHIAN, REZA

ART UNIT	PAPER NUMBER
2633	15

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

19

Office Action Summary	Application No.	Applicant(s)
	09/534,880	NELSON ET AL.
	Examiner	Art Unit
	M. R. Sedighian	2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 November 2002.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). _____ .
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 20) Other: _____

1. This communication is responsive to applicant's 11/13/02 amendments and the RCE filed on 5/1/03 in the application of Shannon M. Nelson et al. for "Shock resistant backplane utilizing infrared communication scheme with electrical interface for embedded systems". The amendments have been entered. Claims 1-9 are now pending.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-6, and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch et al. (US patent No: 5,903,373) in view of Rostoker et al. (US patent No: 5,729,535).

Regarding claims 1, 3, 6, and 8, Welch discloses a system (102, fig. 9) for operatively interconnecting modules within a computer system (col. 11, lines 32-34) to enable data to be transmitted and received therebetween (col. 11, lines 21-32), comprising: a first module having a first media access control logic circuit (112, fig. 9) formed thereon for transmitting and receiving data (data processor 112 communicate bi-directionally with remote controller 110) substantially conforming to a standardized infrared communications scheme protocol (note that data processor 112 and remote controller 110 are communicating with infrared transmitter 116 and receiver 118 and data can be transmitted and received optically through link 19, and such infrared transmitter and receiver can be conformed to standardized infrared communications scheme protocol), a second module having a second media access control logic circuit (110, fig. 9) formed thereon for transmitting and receiving data (controller 110 communicate bi-directionally with data

processor 112 and processor 114) substantially conforming to a standardized infrared communications scheme protocol utilized by the first module (note that data processor 112 and remote controller 110 are communicating with infrared transmitter 116 and receiver 118, and such infrared transmitter and receiver can be chosen to be conformed with standardized infrared communications scheme protocol), and a single hardwire electrical conductor signal path (the path or the electrical conductor that connects module 112 to module 110) connecting the first and second modules to facilitate electrical bi-directional communications (col. 11, lines 28-32).

Welch differs from the claimed invention in that Welch does not specifically disclose the system is a sock resistant system. Rostoker teaches a sock resistant system (col. 4, lines 25-26 and 1, fig. 2) for a wireless communication board (9, fig. 2, 3). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention that a data processing system such as the one of Welch can be housed within a housing such as the one of Rostoker to provide safety and protection. As to a shock resistant system, it is inherent that electrical or optical components are housed within a housing for the reason of safety and protection, and it would have been obvious to provide a house to a system in order to protect it's components and to provide safety to users.

Regarding claims 4 and 9, Welch discloses the first and second modules are operative to run an embedded application (col. 11, lines 30-32, 36-40).

Regarding claim 5, Welch further discloses the system (102, fig. 9) comprises a multiplicity of modules (112, 110, 114, fig. 9), wherein each one of the multiplicity of modules has at least one transmitter (116, fig. 9) and a receiver element (118, fig. 9) formed thereon and

each respective one of the multiplicity of modules being electrically interfaced to one another (note that modules 112, 110, and 114 are electrically connected to each other).

4. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch et al. (US patent No: 5,903,373) in view of Rostoker et al. (US patent No: 5,729,535) and in further view of Matsubara et al. (US Patent No: 6,335,812).

Regarding claims 2 and 7, the modified communication system of Welch and Rostoker differ from the claimed invention in that Welch and Rostoker do not disclose a standardized infrared communications scheme protocol developed by the Infrared Data Association. Matsubara discloses a plurality of optical communication modules (110, 111, fig. 2) that communicate based on infrared scheme protocol developed by the infrared data association. (col. 1, lines 10-18). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention to incorporate an optical transmitter and an optical receiver that uses a standard protocol defined by IrDA such as the ones of Matsubara for the optical transmitter and receiver in the modified communication system of Welch and Rostoker in order to provide a point-to-point transmission that support a broad range of applications, computations, and communications.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad R Sedighian whose telephone number is (703) 308-9063. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (703) 305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

M. R. SEDIGHIAN
M.R. SEDIGHIAN
Patent Examiner
Art Unit: 2633